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SPEECH

OF

HON. J. J. CRITTENDEN,  
OF KENTUCKY,

ON

THE BILL TO RAISE ADDITIONAL SOLDIERS.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JANUARY 29, 1863.

The House having under consideration the bill to raise additional soldiers for the service of the Government, Mr. CRITTENDEN said:

Mr. SPEAKER: It seems to me that the defense which has been made of this matter, in the argument to which we have just listened, must, when seriously considered, be regarded as a very insufficient defense. Sir, we have had a great deal of sarcasm, a great deal of personality, a great deal of argument founded upon particular and rare instances, leading to general conclusions. My friend from Indiana, [Mr. DUNN,] whose last speech was interpolated into that of the member from Illinois, [Mr. LOVEJOY,] speaks of instances where negroes have been employed in the defense of North Carolina, and during the revolutionary war. The instances are so rare and insignificant that the gentleman manifested some degree of research in being able to allude to those instances. They are particularly so insignificant that history takes no notice of them. And yet from these the gentleman deduces general conclusions, and from rare and temporary employment of negroes in particular emergencies and particular necessities, he argues in favor of a system of military economy upon our part which is to employ one hundred and fifty thousand for five years—a longer term of enlistment than any freeman has enlisted for.

Sir, this is not argument; it is a sort of system of gladiation which may be well enough with gentlemen of his age who choose to break a lance with each other; but it is not the argument of a statesman, and is not an argument applicable to such a measure, or by which such a measure can be sustained or be opposed. I do not wish to reply to any gentleman. I do not intend to address myself particularly in response to any gentleman who has spoken. I wish to suggest my own thoughts upon this subject, and be satisfied with that. I have nothing personal; my course leads me on in a different direction, and, avoiding personalities, I shall speak to the subject.

You propose by this bill to raise a force of one hundred and fifty thousand slaves as soldiers. You include, to be sure, and permit to be enlisted, free men of color. How, in a general view of the subject, can you approve of it? What is your reason for it? Have you any deficiency of numbers in your Army? Have your own constituents shrunk from this contest? You say it is a contest for freedom, a contest for liberty; and shall we, sir, stigmatize our constituents, our brothers, the white free-born men of this land, as being so degenerate as to shrink from this contest, and compel you to appeal to your own black men to defend the liberties of the white man?

What a perversion of all feeling to make such an appeal ! There is no want of patriotism ; no want of courage upon the part of the free white men in this country. Have they shown any such want ? In a war that has not lasted more than eighteen months, you have now in the field, or marching for the field, or in preparation for the field, one million of white men, who, with a few exceptions, have voluntarily become soldiers. Where has the world exhibited such an example of universal patriotism and universal devotion to country ? Yet in the face of all this gentlemen here propose to raise one hundred and fifty thousand Americans of African descent. You stigmatize them, while you invite them to the field. The bill is an indelible stigma upon their character. You employ them as soldiers to fight your battle, but give them only one half pay, and exclude them from command to a great extent. You put a stigma upon them, while you call them into the field, and while you say they are worthy to be the defenders of the liberties of this country. Your own soldiers are stigmatized by your own hands. Is this right ; or is it anything else, in view of all this, but a portion of that abolition policy which would take every slave from the master ? That must be the object. They are not necessary for the putting down of this rebellion. They are not worthy of being called to the aid of those who aspire to be considered free born men.

This distinction which the white race makes in its own favor against the negro may be an unjust one. It is not necessary for me to enter into that question, or to define exactly the degree of superiority on the one side or of inferiority on the part of the other race. It is not necessary to do so. We know that it exists ; it exists North, it exists South, and it exists everywhere. It has existed for more than two hundred years even in this country, and from time immemorial. In other regions of the world, this has been the race which, by the decree of Providence has been held as slaves in a degrading and dishonored condition. The feelings of our people in reference to it are founded upon instincts that have come down from one generation to another. There is not one of you here who would admit a black man to social equality or to any species of equality. If there is, who is he ? Who is he that is ready to accept the black man as his equal socially, and ready to accept him as his brother and equal under our American system and in the American Government ? I know of none. I know that the vast majority of my friends and acquaintances on the opposite side of the Chamber do not so regard him. Yet what are you striving to do ? You propose to enlist the negro for five years. We are engaged in a mighty war now, a war caused by revolution and pregnant with revolution. What will be the result if we do not conquer a peace shortly ? Before long the term of service of your white troops will have expired. Is the nation to be left to a black army, with the President at its head clothed with almost illimitable war powers ? You will then have a standing army of negroes alone. Is that what you want ? Would any one dare to propose such a policy as that to the American people—to leave the defence of the country and the lives and liberties of its people in the guardianship of any President with one hundred and fifty thousand myrmidons like these, without a knowledge of the simplest principles upon which our Government depends, and without any possibility of their being able to appreciate that liberty for which you are willing to fight and to send your sons to fight ? The janizaries are safer depositaries of the liberties of the Ottoman than would be this army of slaves to protect our liberties.

All nations which have held slaves have been found to reject their services for military purposes in time of war. My learned friend from Ohio, [Mr. SHEL-LABARGER,] who, the other day, was comparing these rebels to Cataline, is well enough acquainted with his history, and can bear testimony that he, that bold conspirator, had Roman pride enough left in the midst of his vices to reject the assistance, even in his extremest hour of peril, of slaves and gladiators, al-

though they were white slaves, men who had been born free, men who had been made captives in war, and reduced by the inhuman policy of that age to the condition of slavery; they had been tainted and marked with that degradation, and that was enough; even Catiline would not be their leader, and preferred to face the perils of the battle alone. And what a spectacle is here presented? The representatives of a nation which has ever boasted of its readiness to shed the last drop of its blood in defence of the liberties of its people, are calling upon slaves to defend it and to defend them! Sir, it is a mockery—a mockery of the American people. It is a policy unlike that of any other nation. It is an insult to your Army. It is a crime against the civilization of the age. It is a crime against the Constitution. It is an act of hostility against the Union. These are the sentiments with which I am compelled to regard this measure.

I say it is a crime against the Constitution. You send out your recruiting officer, and you authorize him to go into the State of Maryland, for instance, and to any gentleman's house and seduce away his slave and persuade him to enlist by the promise of his freedom, or, perhaps, the promise of a captaincy, and that slave the property of the master! Mr. Lincoln says the owner has property in his slave; that, he says, is plain, and cannot be contested. And yet your recruiting officer is authorized to enlist the slave; to take from the lawful ownership of a loyal man his slave and put him in the Army. Did injustice ever go further than this?

Mr. HUTCHINS. I would like to ask the gentleman from Kentucky a question. Do not the Government of the United States take minors and apprentices, whose services by law belong to the father or master, and put them into the Army of the United States; and is there anything wrong in taking these services, and do we propose to pay for them? If not, where is the wrong of depriving even a loyal slaveholder of the services of his slave, if necessary for the defence of the country.

Mr. CRITTENDEN. Sir, I wonder that the gentleman is not able to answer his own question. I wonder that he is not. In the first place, the man eighteen years old is a native of the Republic. The gentleman's slave, if he had one, would belong to him; but he and his son, white and free born, are children and servants of the Republic. He is born to the service of the country, if he is of good blood, and every drop of blood in him is bastard that does not serve that country whenever he is called upon to do so. Is the gentleman answered? If not, I will give him another answer: The son eighteen years old is not the property of anybody.

Mr. HUTCHINS. Neither is the slave, except by law. The minor son owes service or labor by law, and in that respect the father has a property interest in that labor, or the master in the labor of his apprentice.

Mr. CRITTENDEN. I say the free-born white boy, eighteen years old, is not the property of anybody. There is the freedom I boast of. There is the freedom I am willing to fight for. There is the freedom I maintain—the freedom of my own race. He is nobody's property. The slave, by law, is property; or, if you want to dispute about definitions, and to enter into controversy about words, and do not like the word "property," as applied to the slave, I will say that the master has a right to the services of the slave, and that is a property, just as he has the right to the services of any other property, and that is all he can have in any property.

Mr. HUTCHINS. Will the gentleman allow me to ask him another question?

Mr. CALVERT. I object.

Mr. CRITTENDEN. Oh, no; let him put his question. What is it?

Mr. HUTCHINS. The question I desire to ask is, if the law does not give the father the right to the service of his minor son, or the master to the service of

his apprentice, and if, to that extent, it is not just as much property as the right which the law gives to the master to the service of his slave?

Mr. CRITTENDEN. Sir, if the gentleman can mislead himself by any such ideas as those that his question suggests, I cannot help him. I tell him now that the free born boy owes no obligation of slavery to any one. His father is his guardian; the owner of the slave is his master. To those who cannot understand that distinction, I can make no explanation that will enable them to understand it.

Mr. Speaker, your law is impracticable. My friends, just think of what you are doing! One hundred and fifty thousand negroes are to be enlisted. I say your army will consider it an insult and a degradation.

I remember that the distinguished gentleman from Pennsylvania, last session of Congress, was in favor of this same measure. The topics of our conversation then were the battles near Richmond, and there was much sympathy over the great slaughter there. It was then that he introduced this idea of a negro army; they would have saved so many of our dear sons. It seems to me that the gentleman's idea, fairly translated, amounted to this: that he wanted a negro to march before every white man in the field of battle. What a shame it is that proud republicans, who talk so much about their liberties, should require to have poor negroes held before them in battle as a sort of shield! Do you want this negro army for such a purpose? Sooner advise your sons and brothers to desert. That may escape the attention of history. But if you want to make the cowardice of our army memorable and historical, bring out your one hundred and fifty thousand black men, put them in the front of the battle, and shelter your white soldiers behind them.

Whenever the American sinks so low; whenever that pusillanimous policy is adopted by him, the liberties of such men are not worth much. The pride and heroism of the American name will have all gone. Let not the man who wants such a defense as that go forth to battle. Let him stay at home. That is not the way to train up a great people. Sparta had her slaves. So had Athens. Did they ever send these slaves into the battle? They were small republics, and were often greatly harassed by war, but they never used their slaves as soldiers. Shall we alone voluntarily degrade ourselves below the conditions of other nations? Have not our citizens the courage and strength to defend the country? Have they not the public virtue that is absolutely necessary for the defense of their national existence and their public liberties? When we abandon that defense to slaves we ought to give up our country.

Your bill provides for paying these negro soldiers six dollars a month—and half of that sum is to be kept from them—while you give thirteen dollars a month to the white soldiers. Why is this? Do you not claim that they are as good citizens? You tell us that captain so-and-so, or commander so-and-so, says he has had a negro in his ship on the South American coast, and that he was a braver man than any of the crew. And that is enough to justify the policy of raising a hundred and fifty thousand negroes as a standing army—robbing our people of them, and taking them away without the consent of their masters. Where do you derive that power from? You promise some payment, to be sure; but when will you make it? However, your promising payment does not alleviate the violation of the Constitution, the violation of the right of property. The consent of the owner is not regarded as necessary for the enlistment of his slave. The recruiting officer goes and enlists the slave, and takes him, whether the owner will or not. Can you justify such a thing? Can it be expected that Maryland shall approve of it? Are there not thousands and hundreds of thousands of just men to be found—even among that Democracy which is so much abused here—who will cry out against robbing their fellow-citizens without law and without justice?

Sir, you cannot execute such a law, and you know it. If you want to make



war directly in Kentucky, I assure you, much as I deprecate and deplore it, that this will produce it. I am now bringing before you the best evidence, in order that you may judge coolly and calmly of the policy and propriety of this measure. It is not in the power of the Government, State or Federal, to prevent actual hostilities on the very day this sort of recruiting shall be entered on. Your recruiting officers will be driven pell-mell out of the State, or they will be hung, just as the temper of the people may happen to be. That will be the result of any attempt to enlist slaves. I hope I shall not be understood as indulging in any threats. I am rather too much of a man, I hope, to make use of any threat or boast; I have more respect for myself and for this House than to do so. I simply bear my testimony and tell you that this is a fact, and that the passage of this measure, instead of assisting to restore the Union, will enlarge and embitter the war. I do not believe that you can, by any measure, drive Kentucky to go out of the Union, and to make alliance with the secessionists and rebels of the South; but the people of Kentucky will resist oppression, come from where it will. They are for the Constitution and are against the rebels, because the rebels are the enemies of the Constitution; and they will be against you, too, whenever you resort to unconstitutional measures. We are fighting so that when peace comes our Constitution and liberties will be restored to us with it. But for that hope there would be no heart for the fight. But if, while we are carrying on a war against the rebellion the Constitution of our country is to be destroyed piece by piece behind us, and we are to have nothing but the ruins of it left, why should we not be hostile to those who have done this work of destruction?

Now, let us reason about this thing carefully and quietly. We want to restore the Union as it was, the Constitution as it is. Who is opposed to that? Who will say in this House and in the face of the American people, that he is against that, and then talk about rebels? He who does so is a revolutionist, if not a rebel. We are now in the midst of a revolution and of a rebellion—a revolution here, and a rebellion in the South. The Constitution seems to have lost its virtue, and we are accompanying this war with every sort of aggravated measure that can make it worse or engage us in it more and more deeply. By your confiscation law you have blocked up the road to peace. The old military maxim used to be, “make a bridge of gold for a retreating enemy.” But you are blocking up the road with confiscation acts, and preventing any chance of retreat. And you justify all these measures by appealing to some unknown, occult, mysterious war power, which is raised up like a fearful ghost in these bad times. A great pressure is brought to bear upon the President which finally results in the proclamation of emancipation. You have gone on in this way of abolition step by step. You first began to work in a small degree, by passing a law freeing negroes actually employed in the military service of the rebels. That was the beginning. Next session you enlarged that scheme, and passed a law confiscating all the negroes belonging to rebels, their aiders, or abettors. You not only imputed the crime of rebellion, but you authorized your army to execute the law. Without any judicial trial, you convicted the party of the crime for which you divested him of his property, and undertook, by a sort of attainder, to convict by legislative edict the offender, and take from him his property by the same authority, thus making Congress the legislative, judicial, and executive power.

But this was not enough. In vain did one gentleman and another rise here and propose that a resolution should be adopted liberating all the slaves in the United States. These resolutions were laid quietly on the table. Gentlemen could go no further than this confiscation bill. Then the President was appealed to. And how was it accomplished? In the name of the Constitution and of the country—how came the President by a greater power than Congress had?

The Constitution has reserved it as one of the privileges of the States to regulate their own institutions as they please, and the States in which the holding of slaves is permitted, have done no more than to exercise that privilege. I am speaking of this institution now not as an original question, but as an established thing, guarantied by the Constitution. But even were the settlement of this matter again to take place; if you were forming the Constitution to-day, would you not leave every State free to form and regulate its own social and domestic institutions in its own way? No one, I presume, would question that right. Well, sir, if that be so, and the holding of slaves is guarantied by the laws of a State, by what right do you presume to come within the limits of a loyal State in which that institution exists, and take the property thus protected and guarantied, for your own use or for your own purposes in this war? The owner of slaves claims to hold them as property under the laws of his State. The State claims, under the Constitution, to confer upon him property in slaves, and has continued to exercise that right for a period of two hundred years.

But now new light has sprung up. You can see nothing sacred in the rights which have been guarantied in the most solemn form since the foundation of the Government. Under some new theory of yours, you hesitate not to break up social relations which have formed an essential part of our society for two or three hundred years. There are connected with this institution social relations and ties of affection which you cannot undo, but which you repudiate. Your President has sent forth a proclamation in which he stops not with making free the slaves of rebels, but which makes free the slaves of everybody within the territorial limits marked out. And this is a means by which it is sought to carry on a war for the restoration of the Union!

From whence does the President derive his power to enforce such a decree? I suppose he assumes it by virtue of his military power, for he issues the proclamation in the name of the Commander-in-Chief of the armies of the United States. He cannot seek it from any other source. The Constitution has certainly nowhere, by the remotest inference, given to the President the power of interfering with this institution to the slightest extent in any State where it exists. I beg you to consider the magnitude of the power which the President in his proclamation assumes to exercise. He assumes the prerogative of not only uprooting one of the very foundations of our social system, but to designate by his own fiat the exact region of country in which this emancipation policy shall be executed. Sir, this edict is arbitrary and unconstitutional. It can have no legal effect. It is null and void.

But, sir, in these times the minds of men are filled with the most fanciful and imaginary revolutions. Here is a philanthropic gentleman who wishes to improve the condition of the German population by taking five thousand of them to Florida and setting them to work. Is that a war measure? What is it proposed to do with them? How are they to succeed? They are to have an army to guard them, and for the purpose of giving them a country to cultivate, you are to drive from their homes the inhabitants of that country; you are to drive them from the birth places of their children, and from the tombs of their fathers. To give these men an opportunity of carrying out their scheme you propose to take from us the homes and the heritage which the Almighty has given us. In addition to your confiscation measures and your emancipation measures, we are now to be driven from our homes for the purpose of planting a new population to occupy our country. Are these the means by which we are to carry on a civil war? Are these the means which are to restore the Union and bring peace and harmony again to a distracted country? Sir, let me tell you that these measures will prove literally the sowing of dragons' teeth that will spring up armed men. That will be their effect; and some of them, I think, were designed for that purpose by abolitionists who do not expect, in

case of a reunion of the States, that they will be able to rule the whole country, and they would rather rule in one half than to see others have the control of a united country

For myself, I am still for the Union of these States. I am for the old Constitution. I am for prosecuting this war like a brave, heroic nation, by the hands of freemen; by the hands of men who, when they have fought for their country, I can take their hands in mine, and grasp them with the proud consciousness that the Union has been restored by the bravery of my white countrymen. Sir, this plan of bringing black men into your military service will prove an act of cruelty to the slaves, but of profit to no one. Can they sympathize with us in the motives that actuate us in carrying on this war? That Constitution for which we are fighting makes them slaves; and yet you now call upon them to assist you in restoring its supremacy. What claim have you upon their services in any such cause? What do you bring them to the field for? Do you believe in your hearts you can ever make soldiers of them? There may have been brave seamen in the Pacific ocean of the African race, and there may have been a brave company of black men which General Jackson saw fit to compliment after the battle of New Orleans; but do you expect your army of one hundred and fifty thousand blacks will prove to be of that class? Let me tell you that if you do you will be disappointed. You will gain no strength to your Army by such means. For every black soldier you may muster into the service, you will disarm more brave soldiers who will think you have degraded them by this sort of military association. You cannot carry into the field, I repeat, an army made up of the African race. The slave is not a soldier, and he cannot be a soldier. It is not in the nature of things.

I protest, then, against the President, Mr. Lincoln, undertaking to garrison our important posts with negro soldiers. They are not safe, and never will be safe. I care not though the forts are in New York or Massachusetts; they are as much mine as they are yours. They belong to the United States, and I protest against their being placed in the hands of such defenders.

Mr. SHELLABARGER. Will the gentleman permit me to ask him a question.

Mr. VALLANGDIGHAM. I object.

Mr. CRITTENDEN. The gentleman will understand that so far as I am concerned, I would willingly hear and answer his question. But, sir, I was proceeding to say that I do not care so much about the employment of these men in respect to their inefficiency as soldiers, as I do in respect to the character their employment will give to the war itself. In what will it result? In a servile war. You put one white man to command a thousand negroes at the South, and will he restrain them? Will it not result in servile war? It will be a servile war led by white men. You may get a white man who will endeavor to restrain them, who will endeavor to enforce discipline among them, but could he do it? You promise to all these negroes set free by the President's emancipation proclamation the enjoyment of actual freedom, and you will find that, though you may attempt to restrain them, whenever you attempt to put the experiment into operation, you give license to turn this civil war into a servile war. That will be the result, and is that what you are going to do?

Now, Mr. Speaker, I am as anxious to see this rebellion put down as any one. I hope to see it put down. But I do not fight the South because I hate the South. I deplore the civil war as much as anybody, but it must go on until the Union and the Constitution are restored. I do not fight the South because I hate the South, but because I love my whole country—with all their faults I love them still. They have been my fellow-citizens and my political brethren. I trust that they are to be so again. I fight them not because I hate them, but because they are attacking the Constitution and endeavoring to annihilate the liberties of the country which that Constitution protects. What does the gentleman from Ohio fight for? Have we no more foundation for fidelity to the

Constitution than a mere transitory passion of hate? My fidelity is permanent and fixed. I am fighting for my Constitution. I am fighting for the restoration of the Union. That is what I am fighting for. Our patriotism prompts us to that. I wish I could overcome them without shedding an ounce of their blood. I will say, as Brutus said of Cæsar, "I wish I could come by Cæsar's spirit without shedding one drop of Cæsar's blood."

Mr. Speaker, I am utterly in opposition to the language used on the other side of the House, that there can be no reconciliation; that we must subjugate or exterminate the rebels; that we must employ all of the energies of the Government to drive them from the country. We are told that the rebel States are to be colonized and a new and loyal race is to be raised up. Robbers are to go in in a time of national adversity and take advantage of an abolition policy. They are to occupy the land and drive the people there out of the country. Is that a fair beginning for an honest and loyal race? What can be hoped for the virtue of a people like that?

No, sir; I want the war to close. I want it to be fought out in the way I have described. We are strong enough to overcome the enemy. We are two to their one. We can do it, and let us do it. If the liberty we are fighting for is not worth the blood we are shedding for it, let us give it up. Do not let us say that we cannot do it without the aid of these poor miserable slaves. It would be disgrace enough, without having to do that. Do not let us employ slaves in the military service of the country. Do not let us get them to do what we are abundantly able to do ourselves.

I know that one object gentlemen have in view is to abolish slavery. You want to abolish slavery, whether you call it the means of the end or the end of the means. They have verified it in this matter. It seems likely to be the end of the means. They are not willing to have it done by any other means. It is an undertaking, on the part of the North, to domineer over the South. What right has the North to do it? The South has equal rights with the North. It is a domination more intolerable than any you have complained of.

Is this a claim on the part of the North, or of a band of abolition politicians? It is not a claim of the Northern people. They do not propose to put it beyond all human power to restore the old relations between the two sections of the country. No, sir, it is the party in power which is attempting to use every remnant of the few days before the next Congress to secure the consummation of their wishes. They have been defeated before the country. Is the voice of the people at the last elections to go unheeded? Gentlemen on the other side—and there are many honest men among them—say they want the wishes of the people to be regarded. Well, they have spoken against this thing. I do not speak of any party designation, nor refer to the distinctive Democrats. I was once called a Union Democrat; and I was and am willing to be called so, if that party favored the Constitution and the Union as they were. I am for carrying on the war, provided that this abolition policy be withdrawn. I am sworn to support the Constitution, and, what is a thousand times more satisfactory, my heart has always prompted me to support it. But I am not sworn to support the abolition party. I have never sworn to that, and I will never do honor to its policy.

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